

March 27, 2020



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***Via ECF***

Hon. Lorna G. Schofield  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: C.A. No. 1:19-cv-8760-LGS; *360 Mortgage Group LLC v. Fortress Investment Group LLC*

Dear Judge Schofield:

Pursuant to the Court's January 7, 2020 Scheduling Order, the parties jointly submit the following status letter. In addition, due to the current Covid-19 crisis, and shelter in place orders, the parties jointly request the Court for a ninety (90) day extension of the deadlines set out in the Court's Case Management Plan and Scheduling Order [Dkt34]. The parties agree that an extension is necessary as it is not possible to complete depositions and third-party discovery before the current deadline of May 27, 2020. Although additional discovery is needed, the parties have exchanged the following discovery to date:

- Defendant's First Request for Production of Documents and First Set of Interrogatories served on Plaintiff January 29, 2020;
- Plaintiff's First Request for Production of Documents and First Set of Interrogatories served on Defendant January 31, 2020;
- Plaintiff's Responses and Objections to Defendant's First Request for Production of Documents and First Set of Interrogatories served February 28, 2020;
- Plaintiff's Document Production #1 served February 29, 2020 (261 documents);
- Defendant's Responses and Objections to Plaintiff's First Request for Production of Documents and First Set of Interrogatories served March 3, 2020;
- Defendant's Document Production #1 served March 18, 2020 (265 documents); and
- Plaintiff's Document Production #2 served March 21, 2020 (264 documents).

The parties respectfully request a ninety (90) day extension of the current deadlines in the Case Management Plan and Scheduling Order as follows:

- All fact discovery shall be completed no later than August 27, 2020;
- All document discovery shall be completed no later than August 27, 2020;
- Depositions pursuant to Fed. R. Civ. P. 30, 31 shall be completed by August 27, 2020;

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- Requests to admit pursuant to Fed.R.Civ.P. 36 shall be served any time prior to 30 days before the close of fact discovery;
- All expert discovery shall be completed no later than October 13, 2020;
- On or before July 27, 2020, the parties shall meet and confer on a schedule for expert disclosures, including reports, production of underlying documents and depositions, provided that (i) expert report(s) of the party with the burden of proof shall be due before those of the opposing party's expert(s); and (ii) all expert discovery shall be completed by October 13, 2020
- By 14 days after the close of fact discovery, the parties shall submit a joint status letter by September 10, 2020, as outlined in Individual Rule IV.A.2 and, in the event that they have not already been referred for settlement discussions, shall also advise the Court whether or not they request a referral for settlement discussions as provided above.

Respectfully submitted,

/s/ W. Mark Lanier

W. Mark Lanier

*Attorney for Plaintiff 360 Mortgage Group, LLC*

/s/ John J. Kuster

John J. Kuster

*Attorney for Defendant Fortress Investment Group, LLC*